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Agenda item 100 (a)

HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF
HUMAN RIGHTS INSTRUMENTS

Australia, Austria, Canada, Costa Rica, Finland, Germany, Hungary, Iceland, Italy, Luxembourg, Netherlands, Philippines, Slovakia and Sweden: draft resolution

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 48/120 of 20 December 1993, as well as other relevant resolutions,

Reaffirming that the effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights, 1/ to promote universal respect for and observance of human rights and fundamental freedoms,

Conscious of the importance of the effective integration of human rights into the totality of the activities of the United Nations,

Noting that serious human rights violations are a first indication of national and international instabilities that might become a threat to international peace and security,

1/ Resolution 217 A (III).

Reaffirming its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(b) Securing sufficient financial and human resources to overcome existing difficulties with their effective functioning;

(c) Addressing questions of both reporting obligations and financial implications whenever elaborating any further instruments on human rights,

Welcoming the conclusions and recommendations of the fifth meeting of persons chairing the human rights treaty bodies, held at Geneva from 19 to 23 September 1994, 2/

Welcoming also the initiatives taken by a number of treaty bodies to elaborate early warning measures and urgent procedures with a view to preventing the occurrence, or recurrence, of serious human rights violations, 3/

Expressing concern about the increasing backlog of reports on implementation by States parties to United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Expressing concern also about the non-fulfilment by many States parties of their financial obligations under the relevant United Nations instruments on human rights,

Recalling the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies, held since 1988, and the endorsement of the recommendations aimed at streamlining, rationalizing and otherwise improving reporting procedures by the General Assembly in its resolution 48/120,

Taking note of the relevant paragraphs of the Vienna Declaration and Programme of Action, 4/

Taking note also of the reports of the Secretary-General on progress achieved in enhancing the effective functioning of the treaty bodies, 5/

Welcoming the contribution to the work of the human rights treaty bodies made by the specialized agencies and other United Nations bodies,

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2/ A/49/537, annex, chap IV.

3/ Ibid., para. 12.

4/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

5/ A/44/539, A/46/503, S/48/508 and Corr.1 and A/49/537.

1. Endorses the conclusions and recommendations of the fifth meeting of persons chairing the human rights treaty bodies, held at Geneva from 19 to 23 September 1994;

2. Welcomes the continuing efforts by the treaty bodies and the Secretary-General, within their respective spheres of competence, aimed at streamlining, rationalizing and otherwise improving reporting procedures;

3. Again urges States parties to make every effort to meet their reporting obligations and to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining and improving reporting procedures;

4. Urges the treaty bodies to examine ways of reducing the duplication of reporting required under the different instruments and of generally reducing the reporting burden on Member States, including through:

(a) Identifying where cross-referencing can be used in report writing;

(b) Recommending designating specific national administrative units to coordinate reports to all treaty bodies;

(c) Establishing coordination between the treaty bodies and the International Labour Organization to identify overlap between respective instruments and conventions;

(d) Considering the utility of single comprehensive reports and of replacing periodic reports with specifically tailored reports and thematic reports;

5. Welcomes the emphasis placed by the meeting of persons chairing the human rights treaty bodies and by the Commission on Human Rights on the importance of technical assistance and advisory services and, further to this end:

(a) Requests that the High Commissioner for Human Rights report regularly to the Commission on possible technical assistance projects identified by the treaty bodies;

(b) Invites the treaty bodies to give priority attention to identifying such possibilities in the regular course of their work of reviewing the periodic reports of State parties;

(c) Invites States parties which have been unable to comply with the requirements to submit their initial report to avail themselves of technical assistance;

6. Urges States parties to address, as a matter of priority, at their next scheduled meetings, the issue of States parties consistently not complying with their reporting obligations;

7. Urges all States parties whose reports have been examined by treaty bodies to provide adequate follow-up to the observations and final comments of the treaty bodies on their reports;

8. Invites the specialized agencies and other United Nations bodies and the human rights treaty bodies to develop effective means for further cooperation between them, bearing in mind the responsibilities of the High Commissioner for Human Rights;

9. Invites the High Commissioner for Human Rights to consult the human rights treaty bodies in regard to his efforts to promote cooperation with regional intergovernmental organizations for the promotion and protection of human rights;

10. Welcomes the emphasis by the persons chairing the human rights treaty bodies that the enjoyment of the human rights of women should be closely monitored by each treaty body within the competence of its mandate, and endorses the recommendation by the chairpersons that each treaty body consider amending its reporting guidelines to request gender-specific information from States parties;

11. Encourages each of the treaty bodies to examine the possibility of changing its working methods or amending its rules of procedure to allow non-governmental organizations to participate more fully in its activities;

12. Endorses the recommendations of the meetings of persons chairing the human rights treaty bodies on the need to ensure financing and adequate staffing resources for the operations of the treaty bodies and, with this in mind:

(a) Reiterates its request that the Secretary-General provide adequate resources in regard to the various treaty bodies;

(b) Requests that the Secretary-General report on this question to the Commission on Human Rights at its fifty-first session and to the General Assembly at its fiftieth session;

13. Urges States parties to notify the Secretary-General, as depository of the International Convention on the Elimination of All Forms of Racial Discrimination 6/ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 7/ of their acceptance of the amendments approved by the States parties, and by the General Assembly in its resolution 48/120, for the purpose of funding the respective committees from the regular budget;

14. Calls upon all States parties to fulfil without delay and in full their financial obligations, including their arrears, under the International Convention on the Elimination of All Forms of Racial Discrimination and the

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6/ Resolution 2106 A (XX), annex.

7/ Resolution 39/46, annex.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment until the amendments enter into force;

15. Requests the Secretary-General to continue to take the necessary measures to ensure that the two committees established under the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment meet as scheduled until the amendments enter into force;

16. Endorses the recommendation by the meeting of persons chairing the human rights treaty bodies that the Committee on the Elimination of Discrimination against Women be allocated additional meeting time until the backlog of pending reports has been eliminated, and that the Secretary-General allocate sufficient resources to the Committee; 8/

17. Requests the High Commissioner for Human Rights to prepare an inventory of all international human rights standard-setting activities in order to facilitate better informed decision-making;

18. Welcomes the recommendation by the meeting of persons chairing the human rights treaty bodies that treaty bodies urge the States parties to translate, publish, and make available to the media the full text of the concluding observations on their reports to the treaty-monitoring bodies, 9/ and requests the High Commissioner for Human Rights to ensure that recent reports and the summary records of committee discussions pertaining to them, as well as concluding observations and final comments of the treaty bodies, are made available in the United Nations information centres in the countries submitting those reports;

19. Invites the Department of Public Information of the United Nations Secretariat to publish at the end of each year, as a separate volume, a compilation of all concluding observations adopted during that year by treaty bodies;

20. Requests the High Commissioner for Human Rights to ensure that the United Nations Manual on Human Rights Reporting is available in all official languages at the earliest opportunity and that due regard is paid to the recommendations concerning the Manual made by the fifth meeting of the persons chairing the human rights treaty bodies; 10/

21. Endorses the recommendations by the meeting of persons chairing the human rights treaty bodies that the Security Council give increased attention to violations of human rights, which are a first indication of national and international instabilities and a threat to peace, and that the information

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8/ A/49/537, annex, paras. 49-50.

9/ Ibid., para. 44.

10/ Ibid., para. 57.

provided by treaty bodies be taken into consideration by the Council when deciding on a course of action; 11/

22. Welcomes the recommendation by the meeting of persons chairing the human rights treaty bodies that the treaty bodies take all appropriate measures in response to situations of serious human rights violations, including bringing those violations to the attention of the High Commissioner for Human Rights as well as the Secretary-General and the competent organs and bodies of the United Nations, including the Security Council, 12/ requests that the Secretary-General meet with the High Commissioner for Human Rights and the persons chairing the human rights treaty bodies in 1995 to discuss the role of the treaty bodies in this regard, and further requests the Secretary-General to report to the General Assembly at its fiftieth session on the meeting;

23. Requests the Secretary-General to take the appropriate steps in order to finance, as of 1995, annual meetings of persons chairing the human rights treaty bodies from the available resources of the regular budget of the United Nations;

24. Decides to continue giving priority consideration, at its fiftieth session, to the conclusions and recommendations of the meetings of persons chairing human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions".

11/ Ibid., para. 28.

12/ Ibid., para. 27.